

United States District Court  
Southern District of Texas  
ENTERED

SEP 27 2001

Michael N. Milby, Clerk of Court

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**GEORGE RODRIGUEZ**  
**on behalf of himself and**  
**all others similarly situated,**  
***Plaintiffs,***

**VS.**

**CHECKNET, INC., a Foreign California**  
**Corporation, CHAD MIRAGLIA,**  
**Individually, DOUGLAS PATRICK**  
**PURCELL, Individually, and**  
**CURRENCY EXCHANGE OF TEXAS,**  
**INC. d/b/a in Texas as CONVENIENT**  
**CHECK CASHING,.**  
***Defendants.***

98.  
**Civil Action No. C-99-250**

**CLASS ACTION**  
**Jury Demand**

**ORDER APPROVING CLASS SETTLEMENT**

This matter came on for further consideration on the date bellow on the Motion to Approve Settlement filed by the parties herein, the Court's Order approving preliminary settlement, the Memorandum in Support of Approval of Settlement filed by the Plaintiff, the Declaration of Plaintiff's Counsel as supplemented, and in fact the entire file herein from all of which it appears to the Court that the Class Settlement should be approved, as amended, It is, Therefore,

**ORDERED** by the Court as follows:

1. This matter is certified as a class action and the class is defined as: (1) all natural persons that are residents of the following counties of Texas: Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleburg, Live Oak, Nueces, San Patricio; (2) who entered

into a cash advance transaction for primarily for personal, family, or household use; with the Defendants on or after July 1, 1995, in which the Plaintiff was charged \$18 per \$100 advanced;

2. The Class Settlement entered into by the parties, a copy of the same being attached hereto is approved and made the order of the Court subject to the following amendments suggested by the parties:

a) The amount awarded from the common fund to each individual claimant who has a valid claim is \$2,500; and,

b) James T. McMillen is awarded \$2,890.16 advanced by him for purposes of advertising the settlement to the public.


Accordingly the common fund shall be disbursed as follows:

- a) To George Rodriguez, subject to his individual attorney fees, \$ 7,500;
- b) To James T. McMillen for Attorney fees for representing the class \$27,500.00;
- c) To James T. McMillen for expense of advertising to settlement \$2,890.16;
- d) To Class claims which have been verified \$20,000;
- e) To James T. McMillen, Escrow Fund, the sum of \$20,000 for claims which are on file but unverified;
- f) To the treasury of the Court the sum \$12,109.84 plus any sums not disbursed to claimants from the escrow referenced in sub-paragraph (e) above to establish a Cy Pres fund to be disbursed upon approval of the Court upon further recommendation by counsel for the Plaintiff Class from non-profit organizations that serve the claimants in the counties who are a

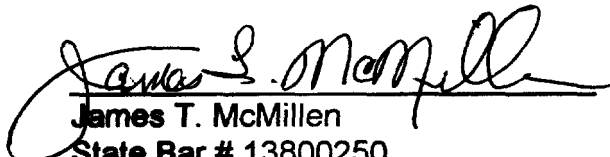
part of the class and giving consideration of the interest of the class.

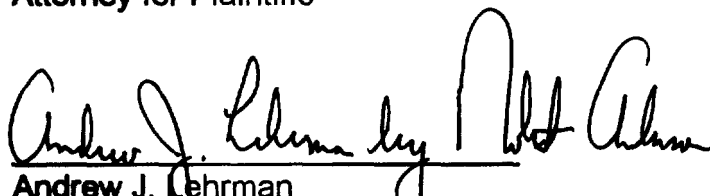
4. Frost Bank, N.A. is directed to release the funds from the Certificate of Deposit number 66-00319334 to James T. McMillen's Client's Trust Account, for James T. McMillen, Counsel for the Plaintiff and Class for the purpose of carrying out the terms of this Order and the Settlement as approved by the Court.

DATED: Sept 25 2001

  
HONORABLE HAYDEN HEAD, JR.  
UNITED STATES DISTRICT JUDGE

APPROVED FOR ENTRY:

  
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